

IN RE: AMENDMENT OF)
MISDEMEANOR CRIMINAL RULE 3)
_____)

**ORDER AMENDING
RULE**

The Court having reviewed proposed amendments to the Misdemeanor Criminal Rules, and the Court having fully considered the same;

NOW, THEREFORE, IT IS HEREBY ORDERED that the Misdemeanor Criminal Rules as they appear in the volume published by the Idaho Code Commission be, and they are hereby, amended as follows:

1. That Rule 3 be, and the same is hereby, amended to read as follows:

**Rule 3. Citable offenses – Methods of initiating prosecution –
Trial - Consolidation.**

(e) **Offenses charged in each citation, consolidation of trials.** Only one person may be charged by a complaint of a single citation, but ~~two~~ more than one misdemeanors may be charged in one citation. A misdemeanor may not be charged with an infraction in a citation. Provided, if the offenses charged by separate citation complaints or other complaints are of the same or similar character or are based on the same act or transaction or connected series of transactions, or are based on two or more acts or transactions connected together or constituting part of a common scheme or plan, the separate complaints may be consolidated by the court upon motion of any party or upon the court's own initiative.

IT IS FURTHER ORDERED, that this order and these amendments shall be effective the first day of July, 2008.

IT IS FURTHER ORDERED, that the above designation of the striking of words from the Rules by lining through them, and the designation of the addition of new portions of the Rules by underlining such new portion is for the purposes of information only as amended, and NO OTHER AMENDMENTS ARE INTENDED. The lining

through and underlining shall not be considered a part of the permanent Misdemeanor Criminal Rules.

IT IS FURTHER ORDERED, that the Clerk of the Court shall cause notice of this Order to be published in one issue of *The Advocate*.

DATED this 22nd day of April, 2008.

By Order of the Supreme Court

_____/s/_____
Daniel T. Eismann
Chief Justice

ATTEST:_____/s/_____
Clerk